

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail No. EL 483388309US

Applicant : Jayant Neogi  
 Application No. : 10/018,817  
 Filed : December 17, 2001  
 Title : METHOD APPARATUS AND  
 ARTICLE OF MANUFACTURE FOR  
 BRANDING A DIAMOND WITH A  
 FOCUSED ION BEAM

Grp./Div. : TBD  
 Examiner : TBD

Docket No. : 42637/GDL/N288

LETTER IN RESPONSE TO NOTICE TO  
 FILE MISSING REQUIREMENTS OF APPLICATION

Box PCT  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

P.O. Box 7068  
 Pasadena, CA 91109-7068  
 August 12, 2002

Commissioner:

In response to the Notice to File Missing Requirements Under 35 U.S.C. 371  
 dated May 10, 2002, Applicant submits the following:

1. Copy of Notice to File Missing Requirements.
2. Petition for Extension of Time (1 month) and fee (\$55.00).
3. Check for \$195.00, including the petition fee (\$130.00) and surcharge for  
 furnishing oath or declaration later than 30 months from earliest claimed  
 priority date (\$65.00).
4. Petition Under 37 CFR 1.47(b) and MPEP 409.03, together with the

following Exhibits:

Exhibit A: Assignment

Application No. 10/018,817

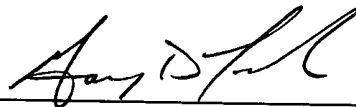
- Exhibit B: Declaration and Power of Attorney executed by John Bishop,  
President, Norsam Technologies, Inc.
- Exhibit C: Declaration of John Bishop in Support of Petition Under 37  
CFR 1.47(b) and MPEP 409.03
- Exhibit D: Declaration of Gary D. Lueck in Support of Petition Under 37  
CFR1.47(b) and MPEP 409.03, together with Exhibits 1-16.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required during the **pendency** of this application to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. **A copy of this letter is enclosed.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By



Gary D. Lueck  
Reg. No. 50,791  
626/795-9900

GDL/kec  
Enclosures (As stated)

KEC PAS453587.1.\*-8/12/02 10:56 AM

FORM PTO-1390  
(REV 3/2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

DATE: August 12, 2002

EXPRESS MAIL LABEL NO.  
EL483388309US

ATTORNEY DOCKET NO.  
N288:42637/GDL

U.S. APPLICATION NO.  
10/018,817

INTERNATIONAL APPLICATION NO.  
PCT/US00/16761

INTERNATIONAL FILING DATE  
June 16, 2000

PRIORITY DATE CLAIMED  
June 16, 1999

## TITLE OF INVENTION

**METHOD APPARATUS AND ARTICLE OF MANUFACTURE FOR BRANDING A DIAMOND WITH A  
FOCUSED ION BEAM**

APPLICANT(S) FOR DO/EO/US  
Jayant Neogi

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/LUS).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (Petition Under 37 CFR 1.47(b) and MPEP 409.3).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 13 to 20 below concern document(s) or other information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A FIRST preliminary amendment..
16. ☐ A SECOND or SUBSEQUENT preliminary amendment..
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ SMALL ENTITY Assertion: Applicant(s) and any other associated with it/them under 37 CFR § 1.27(a) are a small entity.
20. ☒ Certificate of Mailing by Express Mail.
21. ☒ Other items or information: Letter in Response to Notice of Missing Requirement; Copy of Notice of Missing Requirement; Petition for Extension of Time; check for \$195.00; check for \$55.00

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/018,817</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US00/16761</b>		ATTORNEY DOCKET NO. <b>42637/GDL/N288</b>	
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21. The following fees are submitted:				CALCULATIONS	PTO USE ONLY
<input type="checkbox"/>	Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO:	<b>\$1,040.00</b>			
<input type="checkbox"/>	International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	<b>\$890.00</b>			
<input type="checkbox"/>	International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	<b>\$740.00</b>			
<input type="checkbox"/>	International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)(4)	<b>\$710.00</b>			
<input type="checkbox"/>	International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)(4)	<b>\$100.00</b>			
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>			<b>\$</b>		
Surcharge of <b>\$130</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).			<b>\$ 130</b>		

Claims	Number Filed	Number Extra	Rate		
Total Claims			<b>X \$18</b>	<b>\$</b>	
Independent Claims			<b>X \$84</b>	<b>\$</b>	
Multiple dependent claim(s) (if applicable)			<b>+ \$280</b>	<b>\$</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 130</b>	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				<b>\$ 65</b>	
<b>SUBTOTAL =</b>				<b>\$ 65</b>	
Processing fee of <b>\$130</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<b>\$</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 65</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property				<b>\$</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 65</b>	
Note (1): The basic national fee must be paid when filing this application. The 20-month time limit (37 CFR § 1.494) and 30-month time limit (37 CFR § 1.495) are not extendable.				Amount to be: refunded	<b>\$</b>
				charged	<b>\$</b>

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a. ☒ A check in the amount of ~~65.00~~ **\$5.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1728. A duplicate copy of this sheet is enclosed.

**NOTE (2):** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**Gary D. Lueck**  
**CHRISTIE, PARKER & HALE**  
**P.O. Box 7068**  
**Pasadena, CA 91109-7068**

**CUSTOMER NUMBER: 23363**

By

Gary D. Lueck  
Reg. No. 50,791